GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PSs -School Education- Sri Edubelli Sai Krishna Rao, School Assistant, Z.P. High School, L.Kota, Vizianagaram District - Departmental Proceedings under rule 20 of APCS (CCA) Rules, 1991- Trapped on 10.01.2020 - Article of Charges - Issued.

SCHOOL EDUCATION (VIG) DEPARTMENT

G.O. Rt. No.03 **Dated:02.01.2024.**

ORDER:-

It is proposed to hold an enquiry against Sri Edubelli Sai Krishna Rao, School Assistant, Z.P. High School, L. Kota, Vizianagaram District, in accordance with the procedure laid down in A.P. Civil Service (CCA) Rules 1991.

2. The substance of the imputations of misconduct in respect of which the inquiry is proposed to be held set out in the enclosed statement of Articles of Chargess (Annexure-1). A Statement of imputations of misconduct in support of each articles of Charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III & IV).

3. Sri Edubelli Sai Krishna Rao, School Assistant, Z.P. High School, L. Kota, Vizianagaram District, is directed to submit a written statement of his defence within 10 days from the date of receipt of this order.

4 Sri Edubelli Sai Krishna Rao, School Assistant, Z.P. High School, L. Kota, Vizianagaram District, is informed that an enquiry will be held only in respect of those articles of charge as are not admitted. He should therefore specifically admit or deny each of articles of charge.

5. Sri Edubelli Sai Krishna Rao, School Assistant, Z.P. High School, L. Kota, Vizianagaram District, is further informed that if he does not submit his written statement of defense within the stipulated period, further action will be processed based on the material available.

6. Sri Edubelli Sai Krishna Rao, School Assistant, Z.P. High School, L. Kota, Vizianagaram District, is invited to rule 24 of the AP Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on those behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of A.P. Civil Service (conduct) rules 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRAVEEN PRAKASH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Edubelli Sai Krishna Rao, School Assistant, Z.P.High School, L. Kota,
Vizianagaram District through the Commissioner of School Education,
A.P., Ibrahimpatnam, Vijayawada.
The Commissioner of School Education, A.P., Ibrahimpatnam, Vijayawada.(with a request to serve the orders on the individual and furnish served copy to the Govt. immediately).
Copy:SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI EDUBELLI SAI KRISHNA RAO, SCHOOL ASSISTANT, ENGLISH, Z.P. HIGH SCHOOL, L. KOTA, VIZIANAGARAM DISTRICT IN RC.NO. 006/RCT-VVZ/2020:

That Sri Edubelli Sai Krishna Rao, S/o Late Ramana, 45 Years, School Assistant, English, Z.P. High School, L. Kota, Vizianagaram District (here-in-after referred to as Government Servant) while functioning as such during the period from 25.07.2009 to 10.01.2020 (till the date of trap) committed grave misconduct in as much as:

CHARGE-1:

That the Government Servant in abuse of his official position demanded and accepted bribe amount of Rs.7,000/- from the complainant Sri Raparthi Venkata Ramana on 10.01.2020 as illegal gratification other than legal remuneration as a motive for doing the official favour i.e., to hand over the SSC Marks list, TCs of 08 Students who passed SSC Exams in 2017, 2018 & 2019 through open school exams".

Thus the Government Servant by his above-mentioned acts exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government Servant, and thereby contravened Rule 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

CHARGE-2:

That the Government Servant did not serve pass certificates in time, did not maintain the original certificate issuing register and he did not hand over the original Marks Memos along with the charge list to his successor.

Thus the Government Servant by his above-mentioned acts exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government Servant, and thereby contravened Rule 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

PRAVEEN PRAKASH
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI EDUBELLI SAI KRISHNA RAO, SCHOOL ASSISTANT, ENGLISH, Z.P. HIGH SCHOOL, L. KOTA, VIZIANAGARAM DISTRICT:

Sri Edubelli Sai Krishna Rao, S/o Late Ramana is a native of Chanduluru Village, L.Kota Mandal, Vizianagaram District. His date of birth is 04.04.1974. He entered into Government Service on 21.08.1998 as Secondary Grade Teacher. He worked in the same capacity at MPP School, Singarai Village, Vepada Mandal, Vizianagaram from 21.08.1998 to 16.10.2002; at MPP School, Kasireddipalem Village, L. Kota Mandal, Vizianagaram from 17.10.2002 to 21.11.2005; at MPP School, Kittannapeta Village, L. Kota Mandal, Vizianagaram from 22.11.2005 to 18.02.2009. He was promoted as School Assistant on 19.02.2009 and worked in the same capacity at ZPH School, K.P. Rega Village, L. Kota Mandal, Vizianagaram District from 19.02.2009 to 24.07.2009; at ZPH School, Chanduluru Village, L. Kota Mandal, Vizianagaram District from 25.07.2009 to 31.07.2017; at ZPH School, L. Kota Village & Mandal, Vizianagaram District from 01.08.2017 to 10.01.2020 (date of trap). His present basic pay is Rs.43,680/- (date of trap). He is due to retire on attaining the age of superannuation on 30.04.2036. He is here-in-after referred to as Government Servant (G.S.).

CHARGE-1:

That the Government Servant in abuse of his official position demanded and accepted bribe amount of Rs.7,000/- from the complainant Sri Raparthi Venkata Ramana on 10.01.2020 as illegal gratification other than legal remuneration as a motive for doing the official favour i.e., to hand over the SSC Marks list, TCs of 08 Students who passed SSC Exams in 2017, 2018 & 2019 through open school exams".

FACTS AND EVIDENCE:

That on 09.01.2020 at 14:00 hours, the complainant Sri Raparthi Venkata Ramana, S/o Late Venkata Ramana, aged 56 Years, Gavarapalem Village, Kothavalasa Mandal, Vizianagaram District came to the O/o Dy. Superintendent of Police, Anti-Corruption Bureau, Vizianagaram along with his student Smt. B. Santoshi Kumari lodged a typed complaint by stating that he has been running English Coaching Center in the name and style of "Prakhyath Spoken English" at Kothavalasa, Vizianagaram District and also conducting batches for Open SSC and sending them for Open SSC exams conducted by APOSS Board by admitting students through Govt. High Schools A.I.Coordinators. He used to collect tuition fee from the students for coaching and collect certificates of the students who passed in the examination from the concerned co-coordinator and hand over the same to the concerned students. LW-1 got admissions for Open SSC Exams for 06 students in the academic year 2016-17 and 03 students in the academic year 2017-18 through Government Servant who previously worked as Teacher at Z.P. High School, Chanduluru and presently working as Teacher at Z.P. High School, L. Kota and sent the students for exams. The said students passed in the exams and Passed mark sheets and memos were received by the G.S. from APOSS Board. The students, who had appeared from his coaching centre, asked LW-1 for passed certificates and memos. LW-1 met the G.S. on behalf of the students, 4-5 times since the year 2017 and requested to hand over Open SSC mark sheets and memos. But the G.S. has been postponing by not giving mark sheets and memos of passed

students. The Students informed that they also met the G.S. and requested to hand over their passed certificates, he informed them to ask the complainant to meet him. On 07.01.2020 he along with one student Smt. Chinni Santoshi Kumari met the G.S. at L. Kota High School and requested to hand over Open SSC pass certificates of the students who had appeared from his coaching centre. Then the G.S. demanded Rs.1,000/- for each to a total of Rs.9,000/- for 9 students as bribe for handing over certificates. He questioned the G.S. as to why should he pay the bribe amount for giving certificates of the students who passed in the Open SSC Exams. Then the G.S. told him that if he pays the bribe amount of Rs.9,000/- the certificates will be handed over, otherwise, he will not give certificates. Then he pleaded that he is not able to pay that much amount and requested to reduce the bribe. The G.S. in turn reduced the amount and asked him bluntly to pay of Rs.7,000/- as bribe, otherwise, he will not hand over the certificates. He got recorded the conversation between Sai Krishna Rao, the Teacher and him. Even though the complainant is not willing to pay the bribe amount, he reluctantly agreed to pay the demanded bribe to the G.S., as there is no other way to get certificates. The G.S. asked the complainant to bring the bribe amount of Rs.7,000/- to his home situated at D.No.1-137, Ganivada Veedhi, Chanduluru Village, L. Kota Mandal, Vizianagaram District within 2-3 days. As the complainant was not willing to pay the demanded bribe to Sai Master, he gave a report for taking necessary action against A.I. Coordinator Edubelli Sai Krishna Rao Master who demanded a bribe from him. The complainant recorded the conversation between him and Sai Mater on his mobile phone and got transferred the conversation into two C.D.s and enclosed it with his report.

That after observing all legal formalities, the DSP, ACB, Vizianagaram registered the complaint of the complainant as a case in Cr. No. 01/RCT-VZM/2020 Under Section 7(a) of the Prevention of Corruption (Amendment) Act, 2018 on 10.01.2020 at 0445 hours and took up investigation.

On 10.01.2020 the DSP, ACB, Vizianagaram secured the presence of two respectable mediators viz. 1) Sri Kavi Naga Srinivasa Rao, S/o Seshagiri Rao, aged 55 years, Deputy Executive Engineer, AP State Housing Corporation Limited, Salur Sub-Division, Vizianagaram District and 2) Sri Chenna Appala Raju, S/o late Venkata Rao, aged 42 years, Senior Assistant, O/o Project Director, A.P. State Housing Corporation Limited, Vizianagaram, Vizianagaram District, and secured the presence of the complainant.

The DSP, ACB, Vizianagaram conducted pre-trap proceedings from 0515 hours to 0645 at the O/o DSP, ACB, Vizianagaram Range which was reduced into writing by the mediators as pre-trap proceedings incorporating the serial numbers of the currency notes, the demonstration of chemical tests and the instructions issued to the complainant and the other members of the trap party.

On 10.01.2020 at 0850 hours, the G.S. Sri Edubelli Sai Krishna Rao was successfully trapped in his residential house situated in D.No. 1-137, Ganivada Veedhi, Chanduluru Village, L.Kota Mandal, Vizianagaram District by the ACB officials when he further demanded and accepted the bribe of Rs.7,000/- from the complainant for showing the above said official favour. The chemical test conducted on both the hand fingers of the G.S. yielded positive results. The tainted currency notes were recovered from the possession of the G.S. from his right hand fist. The serial numbers of the recovered currency notes were tallied with the serial numbers of the currency notes mentioned in the Pre-Trap proceedings. The DSP secured the resultant solutions into two separate bottles and the tainted currency notes and seized under the cover of the mediators' report.

The DSP also seized a sample of sodium carbonate powder used in the chemical test under the cover of the mediators' report. The DSP informed the District Co-ordinator, AP Open School Society, Vizianagaram District through Inspector M.Maheswara Rao about the trap laid against Sri E.Sal Krishna Rao, School Asst. Z.P. High School, L. Kota to visit the G.S.'s house and assist in the proceedings.

During post-trap proceedings, the DSP, ACB questioned the G.S. as to what had happened between him, the complainant, and the accompanying witness, after explaining the allegations leveled against him in the FIR. The G.S. stated that he has been working as School Assistant, English, ZPH School, L.Kota, Vizianagaram District since 01.08.2017. On 10.01.2020 at about 0830 hours, on the instructions of the DSP, ACB, Vizianagaram, he along with his student Smt. Santoshi Kumari got down from their vehicle near Ambedkar Statue, Chanduluru, received the instructions of the DSP, given to him earlier at his office and preceded to the house of Sri Sai Krishna Rao, School Assistant on foot. He along with his student Smt. Santoshi Kumari reached the house of Sri Sai Krishna Rao and found the main door was closed. When he knocked the main door, Sri Sai Krishna Rao opened the main door and came into the Varandah, then he asked the G.S. to hand over the SSC mark sheet memos and TCs of the students, who were passed through APOSS. Then G.S, asked him whether he brought the bribe amount of Rs.7,000/- or not. When he replied positively, the G.S. offered them chairs present in the Varandah. The G.S. went inside his house and came again after few minutes and handed over SSC mark sheets and TCs of 8 passed students, out of 9 students and informed him that one student has failed in the exams. The G.S. asked him to pay the bribe amount of Rs.7,000/-. He took out the wad of tainted currency from his left side front shirt pocket and produced it before Sri E.Sai Krishna Rao, School Assistant. He received the same with his right hand, counted with his both hands, and kept the same with his right hand. He along with his student Smt. Santoshi Kumari left the Verandah of the said house and he gave the pre-arranged signal by wiping his face with his handkerchief to Inspector Sri M. Maheswara Rao, who took the vantage position at the entrance of the street. Immediately, the ACB Officials rushed into the Verandah of the house of Sri Sai Krishna Rao, while he was sitting on the chair in the Verandah of the said house.

Then the DSP secured the presence of the complainant who is waiting outside and asked him to narrate what had happened after he and the accompanying witness left the trap party and the version of the complainant was recorded by the mediators in the mediators' report-1 (pre trap proceedings). He voluntarily stated that on 10.01.2020 at about 0830 hours, on the instructions of the DSP, ACB, Vizianagaram, he along with his student Smt. Santoshi Kumari got down from their vehicle near Ambedkar Statue, Chanduluru, received the instructions of the DSP, given to him earlier at his office and proceeded to the house of Sri Sal Krishna Rao, School Assistant on foot. He along with his student Santoshi Kumari reached the house of Sri Sai Krishna Rao and found the main door was closed. When he knocked the main door, Sri Sal Krishna Rao opened the main door and came into the Verandah, then he asked the G.S. to hand over SSC marks sheets and TCs of the students, who were passed through APOSS Then the G.S. asked him whether he brought the bribe amount of Rs.7,000/- or not. When he replied positively, the G.S. offered them chairs present in the Verandah. The G.S. went inside of his house, came again after a few minutes, and handed over the SSC mark sheets and TCs of 8 passed students, out of 9 students and informed him that one student was failed in the exams. The G.S. asked him to pay the bribe amount of Rs.7,000/-. He took out the wad of tainted

currency from his left side front shirt pocket and produced it before Sri E.Sai Krishna Rao, School Assistant. The G.S. received the same with his right hand, counted with his both hands, and kept the same with his right hand. He along with his student Smt. Santoshi Kumari left the Verandah of the said house and he gave the pre-arranged signal by wiping his face with a handkerchief to Inspector Sri M. Maheswara Rao, who took the vantage position at the entrance of the street. Immediately, the ACB Officials rushed into the Verandah of the house of Sri Sai Krishna Rao. So saying the complainant handed over 8 Original SSC Mark sheet memos and TCS of passed students to DSP which were given to him by the G.S. On verification of the certificates, It was noticed that they were issued by Andhra Pradesh Open School Society, Government of Andhra Pradesh, Amaravathi, signed by the Director, A.P. Open School Society, Amaravathi and countersigned by AI Co-Ordinator, Z.P. High Schools, Chanduluru and L.Kota containing 20 Sheets and the details and the names are as follows:-

SL No.	Name of the student	School Name	Certificates particulars	Hall Ticket No.	Year of passed
1.	Chinni Santosha Kumari	Z.P.H. School, Chanduluru	1. SSC pass certificate cum memorandum of grades. 2. Memorandum of marks	N1702030137	2017
2.	Gabbadu Santi Kumari	Z.P.H. School, Chanduluru	SSC pass certificate cum memorandum of grades.	N1702030264	2017
3.	Kodiganti Venkata Prasada Rao	Z.P.H. School, Chanduluru	Secondary Schools Certificate (APOSS).	1702070325	2017
4.	Mulli Anand	Z.P.H. School, Chanduluru	1. SSC migration cum transfer certificate. 2. SSC Public exams Memorandum of subject wise performance. 3. SSC certificate cum memorandum of grades	1802100127 2018	2018
5.	K. Anita	Z.P.H. School, Chanduluru	-do-	1802100247	2018
6.	Karri Nookarathnam	Z.P.H. School, Chanduluru	-do-	N1802030080	2018
7.	Malluvalusa Eswara Rao	Z.P.H. School, L.Kota	-do-	1902100197	2019
8.	Amarapinni Narasingarao	Z.P.H. School, L.Kota	-do-	N1802030085	2018

The DSP, ACB got made Photostat copies of the above SSC Mark Sheets and Migration cum TCs, and the photostat copies of the same were seized in the shape of the made-up file containing 20 sheets after duly obtaining the signatures of the mediators and DSP for the purpose of further investigation.

When the DSP confronted the complainant with the version of the G.S. Sri Edubelli Sai Krishna Rao, the complainant stated that the version of the G.S. is not correct and the C.S further demanded bribe of Rs.7,000/- for handing over Open SSC Marks sheets and TCs of passed students and on his further demand only he paid the bribe of Rs.7000/- to the C.S to do the said official favour.

Since the prima facie case has been established against the G.S. Sri Edubelli Sai Krishna Rao, the DSP arrested him on 10.01.2020 at 1215 hours duly observing all legal formalities.

During the course of post-trap proceedings and during the course of the investigation the investigating officers secured the following witnesses, examined them, and recorded their detailed statements.

Witness No.1: Sri Raparthi Venkata Ramana, S/o Late Venkata Ramana, 56 Years, Private Teacher, Gavarapalem Village, Kothavalasa Mandal, Vizianagaram District: He is the complainant and speaks about the contents of his complaint dated: 09.01.2020 submitted to the DSP, ACB, Vizianagaram Range and also speaks about the contents of Mediators Report-1 & II, dated: 10.01.2020 to the extent concerning to him and giving his statement U/s 164 Cr. P.C. before the Special Judicial Magistrate of First Class Excise, Vizianagaram on 23.01.2020, etc., facts.

Witness No.2: Smt. Chinni Santoshi Kumari, W/o Srinivasa Rao, 35 Years, R/o D. No. 26-5-3, Devangula Street, Dasannapeta, Vizianagaram Town: She is student of the complainant and she is the accompanying witness. She speaks about the contents of Mediators Report-I & II, dated: 10.01.2020 to the extent concerning to her. On 09.01.2020 at the request of the complainant, she transferred the voice conversation into two CDs. She submitted certificate U/s 65 B of Indian Evidence Act, 1872 to Inspector, ACB etc. facts.

Witness No.3: Smt. Edubelli Naga Devi, W/o Sri Edubelli Sai Krishna Rao, 39 Years, D.No.1-137, Ganivada Veedhi, Chanduluru Village, L. Kota Mandal, Vizianagaram District: She is the wife of the G.S. She stated that she is present at the time of entry of the ACB trap party into her house and speaks about the contents of Mediators Report-II, dated: 10.01.2020 to the extent concerning to her, etc. facts.

Witness No.4: Smt. Gabbadi Santi Kumari, D/o D. Sita Ramulu, 26 Years, R/o G.Ramana Murthy, Near Railway Hospital, beside DRM Office, Allipuram Road, Visakhapatnam City & N/o D.No. 01, Sadelu Village, G. Madugula Mandal, Visakhapatnam District: She is student of the complainant. She passed SSC in the year 2017, but her SSC Mark Sheets and Migration cum TCs were not given by the G.S. She learnt that the G.S. demanded bribe of Rs.7,000/- from her teacher on 07.01.2020 to hand over the SSC Marks list, TC's of 09 Students, who passed SSC Exams in 2017, 2018 & 2019, through open school exams. Later, she came to know that the G.S. was trapped by the ACB Officials on 10.01.2020 when he demanded and accepted the bribe of Rs.7,000/- from her teacher to do official favour, etc. facts.

Witness No.5: Sri Molli Anand, S/o Late Molli Appala Swamy, 38 Years, R/o D. No. 36-69-6, back side of Ratna furniture main road Reddy Kancharapalem, Visakhapatnam City.

Witness No.6: Smt. Koppili Anitha, W/o B.V.M. Patnaik, 27 Years, R/o D. No. 1-143, Kothavalasa Village & Mandal, Vizianagaram District.

Witness No.7: Sri Malluvalasa Eswara Rao, S/o Sanyasi, 26 Years, R/o D. No. 2-24, Marripalem Village, Sabbavaram Mandal, Visakhapatnam District.

Witness No.8: Sri Amarapinni Narasinga Rao, S/o Mutyalu, 35 Years, R/o D. No. 2-23, Marripalem Village, Sabbavaram Mandal, Visakhapatnam District. All of them corroborated the version of LW-4 (Smt. Gabbadi Santi Kumari) in all material aspects.

Witness No.9: Sri Althi Ramu, PC 1595 of Anti-Corruption Bureau, Vizianagaram Range, Vizianagaram: He speaks about the contents of Mediators Report-I, dated: 10.01.2020 to the extent concerning to him, etc. facts.

Witness No.10: Sri Datti Appala Naidu, S/o Late Satyam Naidu, 47 Years, School Assistant (Maths), M.R. Sanskrit High School, Vizianagaram, I/c District Coordinator, A.P. Open School Society, Vizianagaram District: He stated that the official favour file was pending with the Government Servant as of 10.01.2020, procedural aspect for dispatching the Original Marks Sheet Grade Memo and Issue of Pass Certificate, etc. Further, the register pertaining to the issue of the Original Certificate Register is not being maintained in ZPHS, Chanduluru, L.Kota Mandal. The charge list of A.I. Coordinator, Chanduluru was handed over on 29.06.2019, even though the G.S. was transferred to ZPHS, L. Kota on 31.07.2017. He further speaks about the contents of Mediators Report-II, dated: 10.01.2020 to the extent concerning to him, etc. facts.

Witness No.11: Sri Dasari Gowri Sankar, S/o Veerabadrudu, 39 Years, Lecturer and A.I. Coordinator, S.S.S.R. Junior College, L. Kota Village and Mandal, Vizianagaram District, R/o B.C. Colony, L. Kota Village and Mandal, Vizianagaram District & N/o H. No. 1-123, Chanduluru Village, L. Kota Mandal, Vizianagaram District: He speaks about on the directions of District Coordinator, Vizianagaram, he received the APOSS original certificates of ZPH School, Chanduluru and L. Kota in the year 2018 & 2019 and the same were handed over to the Government Servant for distribution to students. He also speaks the procedural aspect for dispatching the Original Marks Sheet Grade Memo and Issue of Pass Certificate. Even though the Government Servant transferred from Chanduluru to L. Kota, but he did not handed over the charge to successor until 29.06.2019, etc. facts.

Witness No. 12: Sri Badiganti Venkata Govinda Raju, S/o Late Gangulu, 47 Years, Head Master, Z.P. High School, Chanduluru, Vizianagaram District, R/o D. No. 50- 93/5, Sri Krishna Residence, Santhipuram, Visakhapatnam City, N/o D. No. 39-30, Girijan Corporation Road, S. Kota Village and Mandal, Vizianagaram District: He speaks procedure about the A.I. Coordinator was transferred from one place to another place, Immediately handed over the charge of A.I. Coordinator to successor. In such case the Government Servant (G.S.) did not hand over the Original SSC Pass Certificates cum Memorandum of marks to him. Even though the Government Servant transferred from Chanduluru

to L. Kota, but he did not handed over the charge to successor until 29.06.2019. Later, he came to know that the G.S. was trapped by the ACB when he demanded and accepted the bribe, etc. facts.

Witness No.13: Sri Challa Rama Sanyasi Rao, S/o Satyanarayana, 55 Years, School Assistant (English), Z.P. High School, Chanduluru, L. Kota Mandal, Vizianagaram District, R/o Santapeta Colony, Santapeta Junction, L. Kota Mandal, Vizianagaram District & N/o Veeranarayanam Village, S. Kota Mandal, Vizianagaram District: He speaks about the Government Servant (G.S.) handed over the A.I. Coordinator charge to him on 29.06.2019 without any original SSC Certificates of APOSS, even though the G.S. was transferred on 31.07.2017 and also speaks about the procedure of handing over the charge along with original certificates, etc. facts.

Witness No.14: Sri Cheepurupalli Eswara Rao, S/o Late Demudu, 52 Years, Head Master, Z.P. High School, L. Kota, Vizianagaram District, R/o D. No. 58-24-22, Jayaprakash Nagar, Butchirajupalem, NAD Kotha Road, Visakhapatnam City & N/o D.No. 3-11, Raju Street, Vepada Village & Mandal, Vizianagaram District: He speaks about the Government Servant held A.I. Coordinator charge up-to 04.09.2019 and handed over the charge to him, but the G.S. did not hand over any original certificates to be distributed to the students. He also speaks about the procedure of handing over the charge along with original certificates. Later, he came to know that the G.S. was trapped by the ACB when he demanded and accepted the bribe to do official favour. The official favour file was pending with the Government Servant as of 10.01.2020. The G.S. has obtained the signatures of some students in the Accredited Institution Marks Register only, etc. facts.

Witness No. 15: Sri Byrireddy Lakshmana Rao, S/o Narayana, 43 Years, LFL Head Master, Government Primary School, Vobbangiguda Village, Kurupam Mandal, Vizianagaram District, working as District Coordinator, A.P. Open School Society, Vizianagaram District on deputation, R/o D. No. 8-31-10, FF-1, Srinivasa Residency, Opp. Gayatri College, Thotapalem, Vizianagaram Town, N/o M. Gumadam Village, Gajapathinagaram Mandal, Vizianagaram District: He speaks about the procedure for distribution of original certificates is that whosoever passed the 10th Class through APOSS Government Servant (G.S.) got received the SSC Original Pass Certificates in the year 201 2018 and 2019, even though he transferred on 31.07.2017 from ZPHS, Chanduluru to ZPHS, L Kota. The A.1. Coordinator charge was handed over to Sri Ch. Rama Sanyasi Rao on 29.06.2019 without any original SSC Certificates of APOSS and also speaks about the procedure of handing over the charge along with original certificates, etc. facts.

Witness No.16: Sri Kavi Naga Srinivasa Rao, S/o Seshagiri Rao, aged 55 years, Deputy Executive Engineer, AP State Housing Corporation Limited, Salur Sub- Division, Vizianagaram District, R/O MIG-209, VUDA Colony, Babametta, Vizianagaram Town (Mediator-I): He is the first mediator and speaks about the contents of Mediators' Reports- I, II & III, dated: 10.01.2020 and etc. facts.

Witness No.17: Sri Chenna Appala Raju, S/o Late Venkata Rao, aged 42 years, Senior Assistant, O/o Project Director, AP State Housing Corporation Limited, Vizianagaram, Vizianagaram District, R/o Flat No. 502, Rishi Arcade, Mudidam Village, Vizianagaram Mandal & District (Mediator-2 in Mediators' Reports - I & II): He is the second

mediator and speaks about the contents of Mediators' Reports I & II, dated: 10.01.2020 and etc. facts.

Witness No.18: Sri Challa Narayana Rao, S/o Late Kannayya, aged 51 years, Work Inspector, O/o Project Director, A.P. State Housing Corporation Limited, Vizianagaram, R/o Plot No. 25, Shiridi Sai Nagar, Ring Road, Vizianagaram Town, N/o Pedabondapalli Village, Parvathipuram Mandal, Vizianagaram District (Mediator-2 in Mediators' Report III): He is the second mediator and speaks about the contents of Mediators' Report-III, dated: 11.03.2020 and etc. facts.

During the investigation, Inspector, ACB, Vizianagaram obtained the following documentary evidence.

1. **Complaint dated:09.01.2020 given by the complainant:** It reveals the facts of the demand of bribe amount of Rs.7,000/- by the G.S. from the complainant for doing official favour pending with him.

2. **F.I.R. in Cr.No.01/RCT-ACB/VZM/2020, dated: 10.01.2020:** It reveals that a report was received from the complainant with regard to the demand of a bribe and registration of the case against the G.S.

3. **Mediators Report-I in Cr.No.01/RCT-ACB/VZM/2020, U/s 7 (a) of P.C. Act., 1988 (As Amended in 2018), dt: 10.01.2020 drafted at the office of DSP, ACB, Vizianagaram Range:** It reveals pre-trap happenings conducted on 10.01.2020.

4. **Mediators Report-II in Cr.No.01/RCT-ACB/VZM/2020, U/s 7 (a) of P.C. Act, 1988 (As Amended in 2018), dt: 10.01.2020 drafted at the residential premises of the G.S. Sri Edubeli Sai Krishna Rao situated in D.No.1-137, Ganivada Veedhi, Chanduluru Village, L. Kota Mandal, Vizianagaram District**: It reveals Post-Trap happenings conducted on 10.01.2020.

5. **Mediators Report-III in Cr.No.01/RCT-ACB/VZM/2020, U/s 7 (a) of P.C. Act, 1988 (As Amended in 2018), dt: 11.03.2020 drafted at the office of DSP, ACB, Vizianagaram Range:** It reveals the transcript of the voice conversation in between the G.S. and the complainant drafted on 11.03.2020.

6. **Made-up file containing Photostat copies of SSC Mark Sheets and Migration cum TCs of 08 students containing 20 sheets:** It reveals the official favour is pending with the G.S. as of 10.01.2020.

7. **Letter Rc. No. 83/A5/2020, dated: 26.08.2020 of the District Educational Officer, Vizianagaram:** It reveals that the G.S. did not maintain Certificate Issuing Register and the A.1. Coordinator is responsible for the maintenance of the Original Certificate Issuing Register and the G.S. received the Original SSC Mark Sheets and Migration cum TCs of 08 students. The DEO also furnished the service particulars of the G.S., and the job chart of the A.1. Coordinator and the procedural aspect for dispatch of the Original Marks Sheet and etc.

8. **Letter Rc.No.83/A5/2020, dated: 28.11.2020 of the District Educational Officer, Vizianagaram:** It proves that on 13.09.2017 Sri E. Sai Krishna Rao received the Original certificates for the year 2017 of ZPHS, Chanduluru, even though he is working in ZPHS, L. Kota. In the year 2018, the G.S. got received the Original certificates for the year 2018 and on 07.08.2019, the G.S. got received the original certificates for the year 2019

and the same was mentioned in SSC Original Pass Certificates Register and etc. facts.

9. **Certificate U/Sec. 65 B (4) of the Indian Evidence Act furnished by Smt. Chinni Santoshi Kumari (Accompanying witness):** This is the certificate given by Smt. Chinni Santoshi Kumari (Accompanying witness) stating about the recording of the audio conversation of the G.S. by the complainant in his mobile phone on 07.01.2020, later, at the request of the complainant, it was copied by her into two CDs without editing the same and etc., facts.

10. **Report to be received from the Assistant Director, FSL, Mangalagiri regarding the comparison of the voice of the G.S. with the CD produced by the complainant.**

11. **164 Cr. P.C statement of the Complainant recorded on 23.01.2020 by Special Judicial Magistrate of First Class Excise, Vizianagaram**: It shows that the complainant Sri Raparthi Venkata Ramana supported the contents of FIR, Mediators Reports I & II dated 10.01.2020 to the extent concerning to him.

12. **Rough Sketch of the Scene of Offenc**e: It reveals the positions and directions of the Complainant, the G.S., and trap party members during the trap on 10.01.2020.

During the investigation, Inspector, ACB, Vizianagaram obtained the following material evidence.

1. **C.D (MOSERBAER" Company, 52X Recordable) containing Voice conversation between the complainant and the G.S.**: It is containing the Voice record of the Accused Officer and the complainant which was produced by the complainant before the DSP, ACB while giving the complaint dated on 09.01.2020.

2. **One sealed cover containing sample of phenolphthalein powder seized during pre-trap proceedings dated 10.01.2020.**

3. **Two sealed covers containing sample of sodium carbonate powder seized during pre-trap proceedings and post trap proceedings dated 10.01.2020.**

4. **Tainted currency notes of Rs.7,000/- recovered and seized from the possession of the G.S. during the post-trap proceedings dated: 10.01.2020.**

5. **Two bottles of resultant chemical solutions were seized during the post-trap proceedings dated: 10.01.2020.**

The material objects mentioned above in SI. Nos.2 to 5 will prove that the G.S. accepted the tainted currency notes of Rs.7,000/- from the complainant.

6. **Education Department Identity Card of G.S. Sri Edubelli Sai Krishna Rao, Teacher seized during the post-trap proceedings dated: 10.01.2020**.

It reveals the Identification of the G.S.

Hence the charge against the Government Servant that he demanded and accepted a bribe amount of Rs.7,000/- from the complainant for showing official favour is held substantiated.

Thus, the Government Servant, Sri Edubelli Sai Krishna Rao, S/o Late Ramana by his above-mentioned acts exhibited lack of Integrity and devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & 3(2) of AP Civil Services (Conduct) Rules, 1964.

CHARGE-2:

That the Government Servant did not serve pass certificates in time, the Government Servant did not maintain the original certificate issuing register and he did not hand over the original Marks Memos along with the charge list to his successor.

FACTS AND EVIDENCE:

During post-trap proceedings, the DSP, ACB questioned the G.S. as to what had happened between him, the complainant, and the accompanying witness, after explaining the allegations levelled against him in the FIR. The G.S. stated that he has been working as School Assistant, English, ZPH School, L. Kota, Vizianagaram District since 01.08.2017. On 10.01.2020 at about 0830 hours, on the instructions of the DSP, ACB, Vizianagaram, he along with his student Smt. Santoshi Kumari got down from their vehicle near Ambedkar Statue, Chanduluru, received the instructions of the DSP, given to him earlier at his office and preceded to the house of Sri Sai Krishna Rao, School Assistant on foot. He along with his student Smt. Santoshi Kumari reached the house of Sri Sai Krishna Rao and found the main door was closed. When he knocked the main door, Sri Sai Krishna Rao opened the main door and came into the Varandhah, then he asked the G.S. to hand over the SSC mark sheet memos and TCs of the students, who were passed through APOSS. Then G.S. asked him whether he brought the bribe amount of Rs.7,000/- or not. When he replied positively, the G.S. offered them chairs present in the Varandah. The G.S. went inside his house and came again after few minutes and handed over SSC mark sheets and TCs of 8 passed students, out of 9 students and informed him that one student has failed in the exams. The G.S. asked him to pay the bribe amount of Rs.7,000/-. He took out the wad of tainted currency from his left side front shirt pocket and produced it before Sri E. Sai Krishna Rao, School Assistant. He received the same with his right hand, counted with his both hands, and kept the same with his right hand. He along with his student Smt. Santoshi Kumari left the Verandah of the said house and he gave the pre-arranged signal by wiping his face with his handkerchief to Inspector Sri M. Maheswara Rao, who took the vantage position at the entrance of the street. Immediately, the ACB Officials rushed into the Verandah of the house of Sri Sai Krishna Rao, while he was sitting on the chair in the Verandah of the said house.

Then the DSP secured the presence of the complainant who is waiting outside and asked him to narrate what had happened after he and the accompanying witness left the trap party and the version of the complainant was recorded by the mediators in the mediator's report No.1 (pre trap proceedings). He voluntarily stated that on 10.01.2020 at about 0830 hours, on the instructions of the DSP, ACB, Vizianagaram, he along with his student Smt. Santoshi Kumari got down from their vehicle near Ambedkar Statue, Chanduluru, received the Instructions of the DSP, given to him earlier at his office and proceeded to the house of Sri Sai Krishna Rao, School Assistant

on foot. He along with his student Santoshi Kumari reached the house of Sri Sai Krishna Rao and found the main door was closed. When he knocked the main door, Sri Sai Krishna Rao opened the main door and came into the Verandah, then he asked the G.S. to hand over SSC marks sheets and TCs of the students, who were passed through APOSS. Then the G.S. asked him whether he brought the bribe amount of Rs.7,000/- or not. When he replied positively, the G.S. offered them chairs present in the Verandah. The G.S. went inside of his house, came again after a few minutes, and handed over the SSC mark sheets and TCs of 8 passed students, out of 9 students and informed him that one student was failed in the exams. The G.S. asked him to pay the bribe amount of Rs.7,000/-. He took out the wad of tainted currency fros School And currency from his left side front shirt pocket and produced it before Sri E.Sai Krishna Rao, School Assistant. The G.S. received the same with his right hand, counted with his both hands, and kept the same with his right hand. He along with his student Smt. Santoshi Kumari left the Verandah of the said house and he gave the pre-arranged signal by wiping his face with a handkerchief to Inspector Sri M.Maheswara Rao, who took the vantage position at the entrance of the street. Immediately, the ACB Officials rushed into the Verandah of the house of Sri Sal Krishna Rao. So saying the complainant handed over 8 Original SSC Mark sheet memos and TCS of passed students to DSP which were given to him by the G.S. On verification of the certificates, it was noticed that they were issued by Andhra Pradesh Open School Society, Government of Andhra Pradesh, Amaravathi, signed by the Director, A.P. Open School Society, Amaravathi and countersigned by AI Co-Ordinator, Z.P. High Schools, Chanduluru and L. Kota containing 20 Sheets and the details and the names are as follows:-

SL No.	Name of the student	School Name	Certificates particulars	Hall Ticket No.	Year of passed
1.	Chinni Santosha Kumari	Z.P.H. School, Chanduluru	1. SSC pass certificate cum memorandum of grades. 2. Memorandum of marks	N1702030137	2017
2.	Gabbadu Santi Kumari	Z.P.H. School, Chanduluru	SSC pass certificate cum memorandum of grades.	N1702030264	2017
3.	Kodiganti Venkata Prasada Rao	Z.P.H. School, Chanduluru	Secondary Schools Certificate (APOSS).	1702070325	2017
4.	Mulli Anand	Z.P.H. School, Chanduluru	1. SSC migration cum transfer certificate. 2. SSC Public exams Memorandum of subject wise performance. 3. SSC certificate cum memorandum of	1802100127 2018	2018

			grades		
5.	K. Anita	Z.P.H. School, Chanduluru	-do-	1802100247	2018
6.	Karri Nookarathnam	Z.P.H. School, Chanduluru	-do-	N1802030080	2018
7.	Malluvalusa Eswara Rao	Z.P.H. School, L.Kota	-do-	1902100197	2019
8.	Amarapinni Narasingarao	Z.P.H. School, L.Kota	-do-	N1802030085	2018

The DSP, ACB got made Photostat copies of the above SSC Mark Sheets and Migration cum TCS, and the Photostat copies of the same were seized in the shape of the made-up file containing 20 sheets after duly obtaining the signatures of the mediators and DSP for the purpose of further investigation.

During the course of the investigation, on the request of DSP the District Co-ordinator attended the post-trap proceedings and he received the official favour file and speaks about the procedural aspect for dispatching the Original Marks Sheet Grade Memo and Issue of Pass Certificate as per guidelines issued in the Prospectus 2019-20 vide Rule 5.8.

As per the procedure for distribution of original certificates, who passed the 10th Class through APOSS, the said certificates will be sent to the District Coordinator of the concerned district. The District Coordinator will forward the same to the A.I. Coordinator concerned and obtains the signature of the A.1. Coordinator in the SSC original pass certificates register. In-turn the A.1. Coordinator will distribute the original certificates to the students concerned ang obtain their signatures in SSC Marks Issue Register.

The perusal of the SSC Original Pass Certificates Register of District Coordinator revealed that on 13.09.2017, the G.S. received the Original certificates for the year 2017 of ZPHS, Chanduluru, even though he is working in ZPHS, L. Kota. In the year 2018, the G.S. got received the Original certificates for the year 2018 and on 07.08.2019 the G.S. got received the original certificate for the year 2019. But the G.S. did not serve the pass certificates in time and intentionally kept them in his custody even though the "Grade Memos" valid period was lapsed.

The register pertaining to the issue of the Original Certificate is not being maintained in ZPHS, Chanduluru, L.Kota Mandal, Vizianagaram District. The charge list of A.I. Coordinator, Chanduluru was handed over to Sri Ch.Rama Sanyasi Rao, School Assistant (English) on 29.06.2019, even though the G.S. was transferred to ZPHS, L. Kota on 31.07.2017.

During the course of post-trap proceedings and during the course of the investigation the investigating officers secured the following witnesses, examined them, and recorded their detailed statements.

Witness No.1: Sri Raparthi Venkata Ramana, S/o Late Venkata Ramana, 56 Years, Private Teacher, Gavarapalem Village, Kothavalasa Mandal, Vizianagaram District: He is the complainant and speaks about the contents of his complaint dated: 09.01.2020 submitted to the DSP, ACB, Vizianagaram Range and also speaks about the contents of Mediators Report-I & II, dated: 10.01.2020 to the extent concerning to him and giving his statement U/s 164 Cr.P.C. before the Special Judicial Magistrate of First Class Excise, Vizianagaram on 23.01.2020, etc., facts.

Witness No.2: Smt. Chinni Santoshi Kumari, W/o Srinivasa Rao, 35 Years, R/o D. No.26-5-3, Devangula Street, Dasannapeta, Vizianagaram Town: She is student of the complainant and she is the accompanying witness. She speaks about the contents of Mediators Report-I & II, dated: 10.01.2020 to the extent concerning to her. On 09.01.2020 at the request of the complainant, she transferred the voice conversation into two CDs. She submitted certificate U/s 65 B of Indian Evidence Act, 1872 to Inspector, ACB etc. facts.

Witness No.3: Smt. Gabbadi Santi Kumari, D/o D.Sita Ramulu, 26 Years, R/o G.Ramana Murthy, Near Railway Hospital, beside DRM Office, Allipuram Road, Visakhapatnam City & N/o D.No.01, Sadelu Village, G.Madugula Mandal, Visakhapatnam District: She is student of the complainant. She passed SSC in the year 2017, but her SSC Mark Sheets and Migration cum TCs were not given by the G.S.. She learnt that the G.S. demanded bribe of Rs.7,000/- from her teacher on 07.01.2020 to hand over the SSC Marks list, TC's of 09 Students, who passed SSC Exams in 2017, 2018 & 2019, through open school exams. Later, she came to know that the G.S. was trapped by the ACB Officials on 10.01.2020 when he demanded and accepted the bribe of Rs.7,000/- from her teacher to do official favour, etc. facts.

Witness No.4: Sri Molli Anand, S/o Late Molli Appala Swamy, 38 Years, R/o D. No. 36-69-6, back side of Ratna furniture main road Reddy Kancharapalem, Visakhapatnam City.

Witness No.5: Smt. Koppili Anitha, W/o B.V.M. Patnaik, 27 Years, R/o D. No. 1-143, Kothavalasa Village & Mandal, Vizianagaram District.

Witness No.6: Sri Malluvalasa Eswara Rao, S/o Sanyasi, 26 Years, R/o D. No. 2-24, Marripalem Village, Sabbavaram Mandal, Visakhapatnam District.

Witness No.7: Sri Amarapinni Narasinga Rao, S/o Mutyalu, 35 Years, R/o D. No. 2- 23, Marripalem Village, Sabbavaram Mandal, Visakhapatnam District.

All of them corroborated the version of LW-4 (Smt. Gabbadi Santi Kumari) in all material aspects.

Witness No.8: Sri Datti Appala Naidu, S/o Late Satyam Naidu, 47 Years, School Assistant (Maths), M.R. Sanskrit High School, Vizianagaram, I/c District Coordinator, A.P. Open School Society, Vizianagaram District: He stated that the official favour file was pending with the Government Servant as of 10.01.2020, procedural aspect for dispatching the Original Marks Sheet Grade Memo and Issue of Pass Certificate, etc. Further, the register pertaining to the issue of the Original Certificate Register is not being maintained in ZPHS, Chanduluru, L. Kota Mandal. The charge list of A.I. Coordinator, Chanduluru was handed over on 29.06.2019, even though the G.S. was transferred to ZPHS, L. Kota on 31.07.2017. He further speaks about the contents of Mediators Report-II, dated: 10.01.2020 to the extent. concerning to him, etc. facts.

Witness No.9: Sri Dasari Gowri Sankar, S/o Veerabadrudu, 39 Years, Lecturer and A.I. Coordinator, S.S.S.R. Junior College, L. Kota Village and Mandal, Vizianagaram District, R/o B.C. Colony, L. Kota Village and Mandal, Vizianagaram District & N/o H. No. 1-123, Chanduluru

Village, L. Kota Mandal, Vizianagaram District: He speaks about on the directions of District Coordinator, Vizianagaram, he received the APOSS original certificates of ZPH School, Chanduluru and L. Kota in the year 2018 & 2019 and the same were handed over to the Government Servant for distribution to students. He also speaks the procedural aspect for dispatching the Original Marks Sheet Grade Memo and Issue of Pass Certificate. Even though the Government Servant transferred from Chanduluru to L.Kota, but he did not handed over the charge to successor until 29.06.2019, etc. facts.

Witness No. 10: Sri Badiganti Venkata Govinda Raju, S/o Late Gangulu, 47 Years, Head Master, Z.P. High School, Chanduluru, Vizianagaram District, R/o D. No. 50- 93/5, Sri Krishna Residence, Santhipuram, Visakhapatnam City, N/o D. No. 39-30, Girijan Corporation Road, S. Kota Village and Mandal, Vizianagaram District: He speaks procedure about the A.I. Coordinator was transferred from one place to another place, immediately handed over the charge of A.I. Coordinator to successor. In such case the Government Servant (G.S.) did not hand over the Original SSC Pass Certificates cum Memorandum of marks to him. Even though the Government Servant transferred from Chanduluru to L. Kota, but he did not handed over the charge to successor until 29.06.2019. Later, he came to know that the G.S. was trapped by the ACB when he demanded and accepted the bribe, etc. facts.

Witness No.11: Sri Challa Rama Sanyasi Rao, S/o Satyanarayana, 55 Years, School Assistant (English), Z.P. High School, Chanduluru, L. Kota Mandal, Vizianagaram District, R/o Santapeta Colony, Santapeta Junction, L. Kota Mandal, Vizianagaram District & N/o Veeranarayanam Village, S. Kota Mandal, Vizianagaram District: He speaks about the Government Servant (G.S.) handed over the A.1. Coordinator charge to him on 29.06.2019 without any original SSC Certificates of APOSS, even though the G.S. was transferred on 31.07.2017 and also speaks about the procedure of handing over the charge along with original certificates, etc. facts.

Witness No.12: Sri Cheepurupalli Eswara Rao, S/o Late Demudu, 52 Years, Head Master, Z.P. High School, L. Kota, Vizianagaram District, R/o D. No. 58-24-22, Jayaprakash Nagar, Butchirajupalem, NAD Kotha Road, Visakhapatnam City & N/o D. No. 3-11, Raju Street, Vepada Village & Mandal, Vizianagaram District: He speaks about the Government Servant held A.I. Coordinator charge up-to 04.09.2019 and handed over the charge to him, but the G.S. did not hand over any original certificates to be distributed to the students. The G.S. also speaks about the procedure of handing over the charge along with original certificates. Later, he came to know that the G.S. was trapped by the ACB when he demanded and accepted the bribe to do official favour. The official favour file was pending with the Government Servant as of 10.01.2020. The G.S. has obtained the signatures of some students in the Accredited Institution Marks Register only, etc. facts.

Witness No.13: Sri Byrireddy Lakshmana Rao, S/o Narayana, 43 Years, LFL Head Master, Government Primary School, Vobbangiguda Village, Kurupam Mandal, Vizianagaram District, working as District Coordinator, A.P. Open School Society, Vizianagaram District on deputation, R/o D. No. 8-31-10, FF-1, Srinivasa Opianaayaari College, Thotapalem, Vizianagaram Town, N/ M. Gumadam Village Gajapathinagaram Mandal, Vizianagaram District: He speaks about the procedure for distribution of original certificates is that whosoever passed the 10th Class through APOSS Government Servant (G.S.) got received the SSC Original Pass Certificates in the year 2017, 2018 and 2019, even though

he transferred on 31.07.2017 from ZPHS, Chanduluru to ZPHS, L Kota. The A.1. Coordinator charge handed over to Sri Ch. Rama Sanyasi Rao on 29.06.2019 without any original SSC Certificates of APOSS and also speaks about the procedure of handing over the charge along with original certificates, etc. facts. Residency

Witness No.14: Sri Kavi Naga Srinivasa Rao, S/o Seshagiri Rao, 55 years, Deputy Executive Engineer, AP State Housing Corporation Limited, Salur Sub-Division, Vizianagaram District, R/o MIG-209, VUDA Colony, Babametta, Vizianagaram Town (Mediator-1): He is the first mediator and speaks about the contents of Mediators' Reports- I & II, dated: 10.01.2020 and etc facts.

Witness No.15: Sri Chenna Appala Raju, S/o Late Venkata Rao, 42 years, Senior Assistant, O/o Project Director, AP State Housing Corporation Limited, Vizianagaram, Vizianagaram District, R/o Flat No. 502, Rishi Arcade, Mudidam Village, Vizianagaram Mandal & District (Mediator-2 in Mediators' Reports - I & II): He is the second mediator and speaks about the contents of Mediators' Reports I & II, dated: 10.01.2020 and etc facts.

During the investigation, Inspector, ACB, Vizianagaram obtained the following documentary evidence.

1. **Complaint dated: 09.01.2020 given by the complainant**: It reveals the facts of the demand of bribe amount of Rs.7,000/- by the G.S. from the complainant for doing official favour pending with him.

2. **F.I.R. in Cr.No.01/RCT-ACB/VZM/2020, dated: 10.01.2020:** It reveals that a report was received from the complainant with regard to the demand of a bribe and registration of the case against the G.S.

3. **Mediators Report-I in Cr.No.01/RCT-ACB/VZM/2020, U/s 7 (a) of P.C. Act., 1988 (As Amended in 2018), dt: 10.01.2020 drafted at the office of DSP, ACB, Vizianagaram Range:** It reveals pre-trap happenings conducted on 10.01.2020.

4. **Mediators Report-II in Cr.No.01/RCT-ACB/VZM/2020, U/s 7 (a) of P.C. Act, 1988 (As Amended in 2018), dt: 10.01.2020 drafted at the residential premises of the G.S. Sri Edubeli Sai Krishna Rao situated in D.No.1-137, Ganivada Veedhi, Chanduluru Village, L. Kota Mandal, Vizianagaram District:** It reveals Post-Trap happenings conducted on 10.01.2020.

5. **Made-up file containing Photostat copies of SSC Mark Sheets and Migration cum TCs of 08 students containing 20 sheets:** It reveals the official favour is pending with the G.S. as of 10.01.2020.

6. **Letter Rc.No.83/A5/2020, dated: 26.08.2020 of the District Educational Officer, Vizianagaram:** It reveals that the G.S. did not maintain Certificate Issuing Register and the A. I Coordinator is responsible for the maintenance of the Original Certificate Issuing Register and the G.S. received the Original SSC Mark Sheets and Migration cum TCs of 08 students. The DEO also furnished the service particulars of the G.S. and the job chart of A. I Coordinator and procedural aspect for dispatch of the Original Marks Sheet and etc. facts. 7.

7. **Letter Rc. No.83/A5/2020, dated: 28.11.2020 of the District Educational Officer, Vizianagaram**: It proves that on 13.09.2017 Sri E.

Sai Krishna Rao received the Original certificates for the year 2017 of ZPHS, Chanduluru, even though he is working in ZPHS, L. Kota. In the year 2018, the G.S. got received the Original certificates for the year 2018 and on 07.08.2019, the G.S. got received the original certificates for the year 2019 and the same was mentioned in SSC Original Pass Certificates Register and etc. facts.

8. **164 Cr. P.C statement of the Complainant recorded on 23.01.2020 by Special Judicial Magistrate of First Class Excise, Vizianagaram**: It shows that the complainant Sri Raparthi Venkata Ramana supported the contents of FIR, Mediators Reports I & II dated 10.01.2020 to the extent concerning to him.

During the investigation, Inspector, ACB, Vizianagaram obtained the following material evidence.

Education Department Identity Card of G.S. Sri Edubelli Sai Krishna Rao, Teacher seized during the post-trap proceedings dated: 10.01.2020: It reveals the identification of the G.S.

Hence the charge against the Government Servant that he did not serve pass certificates in time, he did not maintain the original certificate issuing register, and he did not hand over the original Marks Memos along with the charge list to his successor is held substantiated.

Thus, the Government Servant, Sri Edubelli Sal Krishna Rao, S/o Late Ramana by his above-mentioned acts exhibited lack of integrity and devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & 3(2) of AP Civil Sevices (Conduct) Rules, 1964.

Thus, the Government Servant Sri Edubelli Sai Krishna Rao, S/o Late Ramana rendered himself for regular departmental enquiry for major penalty under Rule 20 of APCS (CC & A) Rules, 1991.

PRAVEEN PRAKASH
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS:

The following documentary evidence is available on record:

1. **Complaint dated: 09.01.2020 given by the complainant:** It reveals the facts of the demand of bribe amount of Rs.7,000/- by the G.S. from the complainant for doing official favour pending with him.

2. **F.I.R. in Cr.No.01/RCT-ACB/VZM/2020, dated: 10.01.2020:** It reveals that a report was received from the complainant with regard to the demand of a bribe and registration of the case against the G.S.

3. **Mediators Report-I in Cr.No.01/RCT-ACB/VZM/2020, U/s 7 (a) of P.C. Act., 1988 (As Amended in 2018), dt: 10.01.2020 drafted at the office of DSP, ACB, Vizianagaram Range:** It reveals pre-trap happenings conducted on 10.01.2020.

4. **Mediators Report-II in Cr.No.01/RCT-ACB/VZM/2020, U/s 7 (a) of P.C. Act, 1988 (As Amended in 2018), dt: 10.01.2020 drafted at the residential premises of the G.S. Sri Edubeli Sai Krishna Rao situated in D.No.1-137, Ganivada Veedhi, Chanduluru Village, L. Kota Mandal, Vizianagaram District:** It reveals Post-Trap happenings conducted on 10.01.2020.

5. **Mediators Report-III in Cr.No.01/RCT-ACB/VZM/2020, U/s 7 (a) of P.C. Act, 1988 (As Amended in 2018), dt: 11.03.2020 drafted at the office of DSP, ACB, Vizianagaram Range:** It reveals the transcript of the voice conversation in between the G.S. and the complainant drafted on 11.03.2020. 6. Made-up file containing Photostat copies of SSC Mark Sheets and Migration cum TCs of 08 students containing 20 sheets: It reveals the official favour is pending with the G.S. as of 10.01.2020.

7. **Letter Rc. No.83/A5/2020, dated: 26.08.2020 of the District Educational Officer, Vizianagaram:** It reveals that the G.S. did not maintain Certificate Issuing Register and the A.I. Coordinator is responsible for the maintenance of the Original Certificate Issuing Register and the G.S. received the Original SSC Mark Sheets and Migration cum TCs of 08 students. The DEO also furnished the service particulars of the G.S., and the job chart of the A.I. Coordinator and the procedural aspect for dispatch of the Original Marks Sheet and etc. facts.

8. **Letter Rc.No.83/A5/2020, dated: 28.11.2020 of the District Educational Officer, Vizianagaram:** It proves that on 13.09.2017 Sri E. Sai Krishna Rao received the Original certificates for the year 2017 of ZPHS, Chanduluru, even though he is working in ZPHS, L. Kota. In the year 2018, the G.S. got received the Original certificates for the year 2018 and on 07.08.2019, the G.S. got received the original certificates for the year 2019 and the same was mentioned in SSC Original Pass Certificates Register and etc. facts.

9. **Certificate U/Sec. 65 B (4) of the Indian Evidence Act furnished by Smt. Chinni Santoshi Kumari (Accompanying witness)**: This is the certificate given by Smt. Chinni Santoshi Kumari (Accompanying witness) stating about the recording of the audio conversation of the G.S. by the complainant in his mobile phone on 07.01.2020, later, at the request of the complainant, it was copied by her into two CDs without editing the same and etc., facts.

10. **Report to be received from the Assistant Director, FSL, Mangalagiri regarding the comparison of the voice of the Accused Officer with the CD produced by the complainant.**

11. **164 Cr. P.C statement of the Complainant recorded on 23.01.2020 by Special Judicial Magistrate of First Class Excise, Vizianagaram:** It shows that the complainant Sri Raparthi Venkata Ramana supported the contents of FIR, Mediators Reports - I & II dated 10.01.2020 to the extent concerning to him.

12. **Rough Sketch of the Scene of Offence:** It revels the positions and directions of the Complainant, the G.S., and trap party members during the trap on 10.01.2020.

13. **Attested copies of 161(3) Cr.P.C. statements of LWs-1 to 15 mentioned in Annexure-III.**

Any other document, if necessary to be submitted at the time of enquiry.

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ANNEXURE-IV

LIST OF WITNESSES:

The following oral evidence is available on record.

LW.1: Sri Raparthi Venkata Ramana, S/o Late Venkata Ramana, 56 Years, Private Teacher, Gavarapalem Village, Kothavalasa Mandal, Vizianagaram District: He is the complainant and speaks about the contents of his complaint dated: 09.01.2020 submitted to the DSP, ACB, Vizianagaram Range and also speaks about the contents of Mediators Report-I & II, dated: 10.01.2020 to the extent concerning to him and giving his statement U/s 164 Cr.P.C before the Special Judicial Magistrate of First Class Excise, Vizianagaram on 23.01.2020, etc., facts.

LW.2: Smt. Chinni Santoshi Kumari, W/o Srinivasa Rao, 35 Years, R/o D. No.26-5-3, Devangula Street, Dasannapeta, Vizianagaram Town: She is student of the complainant and she is the accompanying witness. She speaks about the contents of Mediators Report-I & II, dated: 10.01.2020 to the extent concerning to her. On 09.01.2020 at the request of the complainant, she transferred the voice conversation into two CDs. She submitted certificate U/s 65 B of Indian Evidence Act, 1872 to Inspector, ACB etc. facts.

LW.3: Smt. Edubelli Naga Devi, W/o Sri Edubelli Sai Krishna Rao, 39 Years, D.No.1- 137, Ganivada Veedhi, Chanduluru Village, L. Kota Mandal, Vizianagaram District: She is the wife of the G.S. she stated that she is present at the time of entry of the ACB trap party into her house and speaks about the contents of Mediators Report-II, dated: 10.01.2020 to the extent concerning to her, etc. facts.

LW.4: Smt. Gabbadi Santi Kumari, D/o D. Sita Ramulu, 26 Years, R/o G. Ramana Murthy, Near Railway Hospital, beside DRM Office, Allipuram Road, Visakhapatnam City & N/o D. No. 01, Sadelu Village, G. Madugula Mandal, Visakhapatnam District: She is student of the complainant. She passed SSC in the year 2017, but her SSC Mark Sheets and Migration cum TCs were not given by the G.S. She learnt that the G.S. demanded bribe of Rs.7,000/- from her teacher on 07.01.2020 to hand over the SSC Marks list, TC's of 09 Students, who passed SSC Exams in 2017, 2018 & 2019, through open school exams. Later, she came to know that the G.S. was trapped by the ACB Officials on 10.01.2020 when he demanded and accepted the bribe of Rs.7,000/- from her teacher to do official favour, etc. facts.

LW.5: Sri Molli Anand, S/o Late Molli Appala Swamy, 38 Years, R/o D.No. 36-69-6, back side of Ratna furniture main road Reddy Kancharapalem, Visakhapatnam City.

LW.6: Smt. Koppili Anitha, W/o B.V.M. Patnaik, 27 Years, R/o D.No. 1-143, Kothavalasa Village & Mandal, Vizianagaram District.

LW.7: Sri Malluvalasa Eswara Rao, S/o Sanyasi, 26 Years, R/o D.No. 2-24, Marripalem Village, Sabbavaram Mandal, Visakhapatnam District.

LW.8: Sri Amarapinni Narasinga Rao, S/o Mutyalu, 35 Years, R/o D.No. 2-23, Marripalem Village, Sabbavaram Mandal, Visakhapatnam District.

All of them corroborated the version of LW-4 (Smt. Gabbadi Santi Kumari) in all material aspects.

LW.9: Sri Althi Ramu, PC 1595 of Anti-Corruption Bureau, Vizianagaram Range, Vizianagaram: He speaks about the contents of Mediators Report-I, dated: 10.01.2020 to the extent concerning to him, etc. facts.

LW.10: Sri Datti Appala Naidu, S/o Late Satyam Naidu, 47 Years, School Assistant (Maths), M.R. Sanskrit High School, Vizianagaram, I/c District Coordinator, A.P. Open School Society, Vizianagaram District: He stated that the official favour file was pending with the Government Servant as of 10.01.2020, procedural aspect for dispatching the Original Marks Sheet Grade Memo and Issue of Pass Certificate, etc. Further, the register pertaining to the issue of the Original Certificate Register is not being maintained in ZPHS, ChanduluruChanduluru, L. Kota Mandal. The charge list of A.I. Coordinator, Chanduluru was handed over on 29.06.2019, even though the G.S. was transferred to ZPHS, L. Kota on 31.07.2017. He further speaks about the contents of Mediators Report-II, dated: 10.01.2020 to the extent concerning to him, etc. facts.

LW.11: Sri Dasari Gowri Sankar, S/o Veerabadrudu, 39 Years, Lecturer and A.I. Coordinator, S.S.S.R. Junior College, L. Kota Village and Mandal, Vizianagaram District, R/o B.C. Colony, L. Kota Village and Mandal, Vizianagaram District & N/o H. No. 1-123, Chanduluru Village, L. Kota Mandal, Vizianagaram District: He speaks about on the directions of District Coordinator, Vizianagaram, he received the APOSS original certificates of ZPH School, Chanduluru and L. Kota in the year 2018 & 2019 and the same were handed over to the Government Servant for distribution to students. He also speaks the procedural aspect for dispatching the Original Marks Sheet Grade Memo and Issue of Pass Certificate. Even though the Government Servant transferred from Chanduluru to L. Kota, but he did not handed over the charge to successor until 29.06.2019, etc. facts.

LW.12: Sri Badiganti Venkata Govinda Raju, S/o Late Gangulu, 47 Years, Head Master, Z.P. High School, Chanduluru, Vizianagaram District, R/o D. No. 50-93/5, Sri Krishna Residence, Santhipuram, Visakhapatnam City, N/o D. No. 39-30, Girijan Corporation Road, S. Kota Village and Mandal, Vizianagaram District: He speaks procedure about the A.1. Coordinator was transferred from one place to another place, immediately handed over the charge of A.I. Coordinator to successor. In such case the Government Servant (G.S.) did not hand over the Original SSC Pass Certificates cum Memorandum of marks to him. Even though the Government Servant transferred from Chanduluru to L. Kota, but he did not handed over the charge to successor until 29.06.2019. Later, he came to know that the G.S. was trapped by the ACB when he demanded and accepted the bribe, etc. facts.

LW.13: Sri Challa Rama Sanyasi Rao, S/o Satyanarayana, 55 Years, School Assistant (English), Z.P. High School, Chanduluru, L. Kota Mandal, Vizianagaram District, R/o Santapeta Colony, Santapeta Junction, L. Kota Mandal, Vizianagaram District & N/o Veeranarayanam Village, S. Kota Mandal, Vizianagaram District: He speaks about the Government Servant (G.S.) handed over the A.I. Coordinator charge to him on 29.06.2019 without any original SSC Certificates of APOSS, even though the G.S. was transferred on 31.07.2017 and also speaks about the procedure of handing over the charge along with original certificates, etc. facts.

LW.14: Sri Cheepurupalli Eswara Rao, S/o Late Demudu, 52 Years, Head Master, Z.P.High School, L. Kota, Vizianagaram District, R/o D. No. 58-24-22, Jayaprakash Nagar, Butchirajupalem, NAD Kotha Road, Visakhapatnam City & N/o D. No. 3-11, Raju Street, Vepada Village & Mandal, Vizianagaram District: He speaks about the

Government Servant held A.I. Coordinator charge up-to 04.09.2019 and handed over the charge to him, but the G.S. did not hand over any original certificates to be distributed to the students. He also speaks about the procedure of handing over the charge along with original certificates. Later, he came to know that the G.S. was trapped by the ACB when he demanded and accepted the bribe to do official favour. The official favour file was pending with the Government Servant as of 10.01.2020. The G.S. has obtained the signatures of some students in the Accredited Institution Marks Register only, etc. facts.

LW.15: Sri Byrireddy Lakshmana Rao, S/o Narayana, 43 Years, LFL Head Master, Government Primary School, Vobbangiguda Village, Kurupam Mandal, Vizianagaram District, working as District Coordinator, A.P. Open School Society, Vizianagaram District on deputation, R/o D. No. 8-31-10, FF-1, Srinivasa Residency, Opp. Gayatri College, Thotapalem, Vizianagaram Town, N/o M. Gumadam Village, Gajapathinagaram Mandal, Vizianagaram District: He speaks about the procedure for distribution of original certificates is that whosoever passed the 10th Class through APOSS and also speaks about the procedure of handing over the charge along with original certificate, etc. facts.

LW.16: Sri Kavi Naga Srinivasa Rao, S/o Seshagiri Rao, 55 years, Deputy Executive Engineer, AP State Housing Corporation Limited, Salur Sub-Division, Vizianagaram District, R/o MIG-209, VUDA Colony, Babametta, Vizianagaram Town (Mediator-1): He is the first mediator and speaks about the contents of Mediators' Reports- I, II & III, dated: 10.01.2020 and etc. facts.

LW.17: Sri Chenna Appala Raju, S/o Late Venkata Rao, 42 years, Senior Assistant, 0/0 Project Director, AP State Housing Corporation Limited, Vizianagaram, Vizianagaram District, R/o Flat No. 502, Rishi Arcade, Mudidam Village, Vizianagaram Mandal & District (Mediator-2 in Mediators' Reports - I & II): He is the second mediator and speaks about the contents of Mediators Reports- I & II, dated: 10.01.2020 and etc. facts.

LW.18: Sri Challa Narayana Rao, S/o Late Kannayya, 51 years, Work Inspector, 0/0 Project Director, A.P. State Housing Corporation Limited, Vizianagaram, R/o Plot No. 25, Shiridi Sai Nagar, Ring Road, Vizianagaram Town, N/o Pedabondapalli Village, Parvathipuram Mandal, Vizianagaram District (Mediator-2 in Mediators' Report - III): He is the second mediator and speaks about the contents of Mediators' Report-III, dated: 11.03.2020 and etc. facts.

LW-19: Sri B.V.S. Nageswara Rao, DSP, ACB, Vizianagaram Range: To speak to the facts of registration of FIR, laying of trap, arrest of the AO and investigation etc. facts.

LW-20: Sri M. Maheswara Rao, Inspector of Police, Anti-Corruption Bureau, Vizianagaram Range: To speak to the facts of his conducting further investigation, receiving sanction order and filing charge sheet etc. facts.

Any other witness, if necessary will be produced at the time of enquiry.

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